

**City of Selah
Council Minutes**

June 14, 2005

Regular Meeting
Selah Council Chambers
115 West Naches Avenue
Selah, WA 98942

A. Call to Order Mayor Jones called the meeting to order at 4:01pm.

B. Roll Call

Members Present: Brian Harris, Keith Larson, Pete McNew, Allen Schmid, Herb Schmidt, Scott Smeback

Members Excused: Jerry Kobes

Staff Present: Frank Sweet, City Supervisor; Bob Noe, City Attorney; Rick Gutierrez, Police Chief; Jerry Davis, Fire Chief; Joe Henne, Public Works Director; Dennis Davison, Community Planner; Jeff Hagler, Parks & Recreation Director; Dale Novobielski, Clerk/Treasurer

C. Pledge of Allegiance

Councilman Harris led the Pledge of Allegiance. Parks & Recreation Director Jeff Hagler led the group in prayer.

D. Agenda Changes

City Supervisor Frank Sweet announced there will be an Executive Session after reports for the purposes of discussing real estate and personnel.

E. Public Appearances

Chief Gutierrez introduced three new reserve officers: Karen Thomas, a graduate of the 2004 Citizens Academy and security officer at Selah Jr. High, Chris Knox 2005 a graduate of the 2005 Citizens Academy and William Daily, also a graduate of the 2005 Citizen's Academy.

Clerk/Treasurer Dale Novobielski swore in the new officers. Those assembled applauded the new officers and the Mayor and Council Members congratulated them.

Chief Gutierrez announced that the thirty-three graduates of the first Selah Spanish Citizens Academy who awarded his department with a plaque acknowledging Officer Tony Valencia, the other officers and Chief. He in turn thanked Fire Chief Jerry Davis for use of Fire Department facilities for these academies.

Mayor Jones moved to the Consent Agenda.

F. Getting To Know Our Businesses

G. Communications

1. Oral
2. Written

H. Proclamations/Announcements

I. Consent Agenda

All items listed with an asterisk (*) were considered as part of the Consent Agenda.

- * 1. Approval of Minutes: Council Meeting May 24, 2005
- * 2. Approval of Claims & Payroll: Claims check nos. 45367 – 45471 for a total of \$98,349.45 and Payroll checks nos. 56181 – 56265 for a total of \$144,214.20 and Payroll checks nos. 56266 – 56359 for a total of \$106,579.76.

Councilman Herb Schmidt stated Item G-1 of minutes, Terica Taylor's presentation, omitted praise for his participation with the Convention Bureau.

Mayor Jones noted that will be included in the minutes and read the Consent Agenda.

Councilman Schmid moved approval of the Consent Agenda. Councilman Larson seconded. By voice vote, motion carried unanimously.

J. Public Hearings

1. Public Hearing Terry Lane Right-of-Way Vacation Petitioned by The Crest at Goodlander, LLC, Charles and Delores Haase, and Charles and Marlene Allen

Community Planner Dennis Davison introduced the Terry Lane vacation petition and the recommendation to approve the right-of-way with two conditions, that it be simultaneously merged with the property to the west and designated R-1 residential.

Roy Sample, 111 Highland Court, stated this right-of-way adjustment is an attempt to make it uniform.

Mayor Jones, seeing no other speakers, closed the Public Hearing. Councilman Schmid asked if this item would come up later in the meeting. He noted a financial amount should be included in the vacation item.

Mr. Davison stated the Ordinance for this right-of-way will be presented at the next meeting. Councilman Schmidt asked if the delay would present a hardship. Mr. Davison answered no, deferring to Mr. Sample.

Bill Harris requested going back to "Oral Comments." He stated GYGSA has talked to City staff about what it would take to renovate Carlon Park. He stated GYGSA with its twenty-year history has proposed to the City that they could come up with \$75,000 and an additional \$25,000 over the next five years and has discussed some alternatives for Carlon Park. He stated they are currently running five

tournaments a year. He stated if they ran 7 tournaments per year with sixteen teams in each tournament 112 teams (fourteen teams are local so they would not be traveling or spending money to stay) that would be 98 teams coming to play X 13 players per team = 1274 kids, multiply that by four support personnel you'd have basically 5,000 people spending \$100 per person = \$509,600 per year. He noted right now Selah does not have the facilities to trap those dollars, but if girls fast pitch lasts as long as men's slow pitch (thirty years), we'd be talking millions of dollars.

City Supervisor Frank Sweet stated Huibregtse estimates on Park improvements have increased 11%. He stated he, Mr. Harris, Councilman Smeback, Councilman Schmid, Mayor Jones, City Attorney Bob Noe and Parks & Rec Director Jeff Hagler have been meeting to brainstorm possibilities. He referred Council Members' attention to Line 18 (plaza), Line 45 (field construction) and Line 89 (new restroom/concession area) which total \$751,552 would allow us to put together the kind of fields necessary to attract the kinds of tournaments and tourism Mr. Harris has talked about. He stated he subtracted the \$75,000 from GYGSA which leaves \$676,552 we would need up front. He stated he had Mr. Novobielski look at it to determine that could be done without adverse effect to any fund. He stated basically the City has the money to front it, taking \$5,000 each year from GYGSA, \$3,000 from the Concession stand and using \$75,000 savings from what used to go toward the library contract. 8.1 years would be the maximum time for that reallocation. He suggested the possibility of "name the field" money, corporate sponsors, IAC funds, Legends Casino community project monies. He stated it is a real possibility, and we could begin construction in July of this year to be completed in early March of 2006. He suggested the Council discuss this proposal today, reach a consensus of the Council and then bring back the inter-fund loan document, lease agreement, etc. for adoption at a later date. He stated he presented a "worse case scenario" today and is pursuing other possibilities for funding.

Councilman Scott Smeback stated his whole-hearted agreement, noting this thirty-year-old facility cannot continue to meet the demands of girls' softball league as it has grown. He stated a four-field complex is necessary to field that quantity of teams. He noted McGonagle is great for boys' baseball, but this sport is growing and Valley youth sorely need a facility.

Mayor Jones stated the City sold the North Wenas project to the state based in part on the GYGSA activity in Carlon Park.

City Supervisor Sweet stated Fund 170 is projected at \$555,000 by the end of the year and Fund 301 at \$463,00 for a total of \$1,018,000.

Councilman Schmid stated the City needs a class facility; it ties in with Marudo development as part of the over-all quality we're looking for the City of Selah. He stated he hopes the City and GYGSA will continue to have a good working relationship for many years to come.

Councilman Harris stated it's not just the City helping the softball association, rather the softball association giving Selah an opportunity. This complex will be a huge asset to the City.

Mayor Jones noted it is not an expense, it is an investment, and we need to be proactive.

Councilman Schmidt stated his only concern is that we need to be on target with leases, legal documents, etc. so that we can support it with the public.

City Supervisor Frank Sweet stated his intention to bring back all appropriate leases and documents to the Council Meeting in two weeks.

Councilman Schmid moved to direct staff to put together a package to bring back to the Council at its next meeting with specific information needed to move forward with this project. Councilman Schmidt seconded. Roll was called. Motion carried unanimously.

Mayor Jones noted he is also committed to soccer, suggesting parents need to work together to get facilities for soccer, just as Little League parents and GYGSA have done.

Bill Harris stated the girls' softball league is growing so fast they will soon reach capacity at Carlon. He said he wants four fields there and will work toward a fifth.

K. New Business

1. Notice of Intent to Annex—Selah Ranch, L.L.C. et.al.

Community Planner Dennis Davison addressed Item K-1, the proposed annexation area by Selah Ranch and Stern Family Trust. He stated there are four property owners, two of whom approve the annexation. He stated if this is approved, it will include standard typical requirements. Councilman Smeback noted it is an island inside the municipal boundary. Mr. Davison estimated it is roughly 178 acres.

Councilman Harris stated the City will receive no revenues immediately.

The Community Planner stated it will improve the City's assessed valuation because it's close to a million dollars in valuation. He stated if this is approved, staff will proceed with sending notices for the petition, and if those are return, the Council will schedule a public hearing.

Councilman Schmid moved to accept the notice of intent petition and proceed with the annexation. Councilman McNew seconded. Roll was called. Motion carried unanimously.

L. Old Business

M. Resolutions

1. Resolution Adopting the Hearing Examiner's Recommendation of Approval for the Preliminary Plat of the Crest Phase 5

Community Planner Dennis Davison addressed Item M-1. He reviewed the proposed plat of the Crest, Phase V, and recommended the Council adopt the Hearing Examiner's recommendation with sixteen conditions.

Councilman Brian Harris excused himself, citing a conflict of interest since the proponent is his father-in-law.

Councilman Schmid stated he remains confused on what kind of street Terry Lane will be.

The Community Planner responded Terry Lane is proposed to be a super half street 24 foot wide with curb and gutter, sidewalk and streetlights on the left (west) side next to Phase V; however, from the south end of Phase Five to Goodlander Road it would be a half street, 24-foot wide, centered, with no curb, gutter, sidewalk or street light.

Councilman Schmid asked why not exchange the five-foot vacation for curb, gutter and sidewalk on the west side all the way down to Goodlander. He stated this should not all fall on developer when we could require owner of Parcel 43431 (Haase) to comply. He stated it seems foolish to have center of street shift half way between Lyle and Goodlander.

Mayor Jones asked what it would cost for curb, gutter and sidewalk.

Developer Roy Sample said he agrees with Councilman Schmid, also hates half streets. He stated the cost of curb, gutter and sidewalks is relatively small. He stated this phase is the last part of the Crest. He stated he doesn't need the five foot right-of-way but does need power poles relocated from right down the center of the right-of-way. He stated the City can utilize their franchise with Pacific Power to get them removed. He stated his belief Terry should be a full street all the way to Goodlander.

Councilman Schmidt noted the documents state "the City has requested that the electrical utility the utility company move the power line."

Public Works Director Joe Henne stated he has contacted Pacific Power, and they asked if this was a City project. He suggested the City send in a set of construction plans.

Councilman Schmid stated anytime City puts a street in a right-of-way, the City owns it. He stated somebody seems to be trying to pull something over on people.

Frank Sweet stated the City ran into it at Selah Intermediate School, but suggested we can make a case that we need the road improved.

Joe Henne noted they won't accept the request from any party other than the right-of-way owner.

Roy Sample reminded the Council that Phase IV included the need to move a power pole that served the Wharton residence.

Councilman Schmid asked Mr. Sample if that expense were eliminated, would he put in a full street.

Roy Sample responded he won't do the project unless he can put a full street in there. He added if the City can get the power poles moved, he will talk with property owners about chipping in on the expense of curb, gutter and sidewalks. He stated that he will accept the condition of the full street. Frank Sweet noted it could be put in as a half street if this item is adopted as presented.

Joe Henne stated the plat says five-foot vacation. Discussion ensued about the timing of adopting the right-of-way and approving preliminary plat. Mr. Sample said he didn't care how the Council adopted it, noting if he can't get people together, will let plat expire.

Councilman Schmid asked if it would cause a problem if the Council put this decision off for two weeks. Mr. Sample said it would make no difference to him.

Councilman Schmidt asked if there is anyway Joe Henne can go ahead and prepare request for the power company to move the poles.

The Public Works Director stated he can do that now.

Frank Sweet advised the Council to be careful to include full street in requirements for plat approval. Councilman Schmid asked if the Council can modify the Hearing Examiner's recommendation to that extent.

City Attorney Bob Noe stated the Council can modify recommendation No. 6 to include a full street with curb, gutter and sidewalk. Mr. Sample stated no construction will happen until after the right-of-way has been approved. It was the consensus that the Council can amend right now. Councilman Pete McNew moved and Councilman Larson seconded to amend the Hearing Examiner's recommendation. By voice vote, motion carried unanimously.

After some discussion, Councilman Allen Schmid moved to amend the Hearing Examiner recommendation Item No. 5 to read "Terry Lane from Lyle Avenue to Goodlander Road shall be improved to City standards for a full-width city street with curb, gutter and sidewalk on both sides as approved by the Public Works Director." Councilman McNew seconded. By voice vote, motion carried unanimously.

Councilman Allen Schmid moved to delete recommendation No 6. Councilman Herb Schmidt seconded. By voice vote, motion carried unanimously.

Councilman Schmid moved and Councilman Smeback seconded to adopt the Resolution Adopting the Hearing Examiner's Recommendation of Approval for the Preliminary Plat of the Crest Phase 5 as amended. Roll was called. Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – yes; Councilman McNew – yes; Councilman Larson – yes. Motion carried unanimously.

Councilman Harris returned to the meeting.

2. Resolution Authorizing the Mayor To Sign Local Agency Agreement Supplement No. 1 for North First Street Overlay

Public Works Director Henne addressed Resolution M-2 explaining the need for the supplement for North 1st Street overlay is because of the addition of wheelchair access ramps. He stated it is a \$5,424 increase.

Councilman Schmid moved and Councilman Larson seconded to adopt the Resolution Authorizing the Mayor To Sign Local Agency Agreement Supplement No. 1 for North First Street Overlay. Roll was called. Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – yes; Councilman McNew – yes; Councilman Larson – yes; Councilman Harris – yes. Motion carried unanimously.

3. Resolution Authorizing the Mayor To Sign an Interlocal Agreement Between the City of Yakima and the City of Selah for Use of Public Transportation System

City Attorney Bob Noe addressed Resolution M-3 which would allow the Mayor to sign an interlocal agreement with Yakima that they approved last week. He noted the agreement is for a two-year pilot project, and Appendix D was previously distributed.

Councilman Schmid stated his concern was that he thought there would be a mutual agreement, but items 3.1 to 3.4 took all input out of the Selah Council's hands.

City Supervisor Frank Sweet suggested that input ended when the route in Appendix D was agreed upon. He added that if ridership reflects a need for an adjustment down the road, it can likely be adjusted.

City Attorney Bob Noe stated ultimately transit has the control.

Mayor Jones said he understood that it is a "pilot," and they hold the cards.

Frank Sweet added Yakima likely wonders why Selah would care since they are putting up no money.

Councilman Schmid moved and Councilman Schmidt seconded to adopt the Resolution Authorizing the Mayor To Sign an Interlocal Agreement Between the City of Yakima and the City of Selah for Use of Public Transportation System. Roll was called. Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – yes; Councilman McNew – yes; Councilman Larson – yes; Councilman Harris – yes. Motion carried unanimously.

N. Ordinances

O. Communications

1. Oral

P. Reports/Announcements

1. Mayor
2. Council Members
3. Boards
4. Departmental

- a. Police Department Monthly Report – May 2005

Mayor Jones greeted Grace Maltsberger in the audience.

Community Planner Dennis Davison reported the codifier is almost finished with the zoning ordinances. He stated there are some more preliminary plats coming forward, and he has not heard from the Hearing Examiner on the Kimko SEPA appeal.

The City Supervisor asked that a dollar amount be included in all future right-of-way ordinances.

Public Works Director Joe Henne reported he is meeting tomorrow with consultants to draft letter to Crusher Canyon residents. He further reported the new reservoir still under construction and the pump has been ordered.

Fire Chief Jerry Davis reported Fire Marshal Jim Martin has been out all week after having surgery on his eye.

Councilman Scott Smeback stated he is glad to see addition of three reserves as well as the graduates of Spanish Citizens Academy.

Councilman Brian Harris reported DC Bound will leave Sunday for Washington, DC, and he and Councilman Smeback will serve as chaperones.

Councilman Pete McNew commended the kids and parents who worked on DC Bound.

Councilman Harris added that 70-80 people will go including chaperones. Councilman Smeback stated there will be one chaperone to every 3-4 kids.

Councilman Schmidt praised Chief Gutierrez's report and acquisition of command vehicle.

Councilman McNew asked to have Chief Gutierrez bring that vehicle to the next Council Meeting.

Parks & Recreation Director Jeff Hagler reported the swimming pool is open to school groups and will open Thursday to the public. He stated soccer continues with six teams (around 90 kids). They will play at Lince this summer. He stated the Teen Center open this summer for first time 3-5 each afternoon. He reported he attended the Yakima Valley Sports Commission meeting last week; that group is working to schedule events and to avoid doubling events.

Councilman Schmid noted with Jeff's involvement with this Valley group will aid communication.

Mayor Jones reported Lynn Carmichael cannot serve on Boundary Review Board, so John Puccinelli has been nominated as a replacement. The Council Members concurred. He further reported that he participated today in naturalization of 40 people from 7 nations, and took his eight-year-old grandson to Judge Leavitt's office for the event.

City Supervisor Frank Sweet announced a portable storm drain carwash kit will be demonstrated at Selah High School on Thursday morning. Groups wishing to hold carwashes can borrow these kits from Selah High School, and the Department of Ecology could fine up to \$10,000 if groups don't use them.

Mayor Jones declared a five-minute recess before the Executive Session on real estate and personnel.

Q. Executive Session

The Council moved into Executive Session at 5:50pm. Council moved out of Executive Session at 6:24pm.

R. Adjournment

Councilman Schmid moved and Councilman Smeback seconded to authorize the Mayor to sign an offer to purchase parcel 181436-24404 from Otis Harlan at \$4.875 per square foot with closing scheduled for September 1, 2005. By voice vote, motion carried unanimously.

Council Member Schmid moved and Council Member Larson seconded that the meeting be adjourned. By voice vote, the motion passed unanimously. The meeting adjourned at 6:30pm.

Robert L. Jones, Mayor

(Excused)

Gerald Kobes, Council Member

Keith Larson, Council Member

Peter McNew, Council Member

Brian Harris, Council Member

Herb Schmidt, Council Member

Scott Smeback, Council Member

Allen Schmid, Council Member

ATTEST:

Dale E. Novobielski, Clerk/Treasurer